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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,965	01/31/2001	Shawn D. Bracewell	13768.185.1	6008
47973	7590	02/07/2005	EXAMINER	
WORKMAN NYDEGGER/MICROSOFT 1000 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84111			PATEL, ASHOKKUMAR B	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/774,965	BRACEWELL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ashok B. Patel	2154	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,8,16,18,19,24 and 40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,9-15,17,20-23,25-39 and 41-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Application Number 09/774, 965 was filed on 01/31/2001. Claims 1-43 are subject to examination. Claims 2, 3, 8, 16, 18, 19, 24 and 40 are cancelled.

#### ***Interview Summary***

2. In response to Applicant's remark that "The Examiner seemed to concur with this analysis during the Interview and noted in the Interview Summary that Applicants proposed to amend the independent to differentiate over the prior art of record and that upon receiving the amendment, the Examiner will update the search.", the Examiner would like to clarify that the Interview Summary reads " Applicant proposed to amend independent claims to differentiate them over the prior art of record. Upon receiving the amendment the Examiner will update the search." Examiner's concurrence was not either shown or indicated in any case related to prior art of record during the interview since no amendment, in any form, was presented to the Examiner.

#### ***Response to Arguments***

3. Applicant's arguments filed January 4, 2005 have been fully considered but they are not persuasive.

In response to Applicant's arguments that "Among other things, however, Johnson fails to teach, suggest, or enable, accessing or retrieving non-displayable data that is not natively compatible for viewing with a Web browser from a data server and converting the non-displayable data by using one or more functions included within an identified template, into a format that is natively compatible for viewing with the Web browser. Johnson also fails to teach, suggest, or enable, a data structure comprising a

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data dictionary data object that identifies data to be accessed from the data server that is not natively compatible for viewing with a particular Web browser and a functions data object that identifies one or more functions associated with the template for converting the data that is not natively compatible for viewing with a particular Web browser into a format that is natively compatible for viewing with the particular Web browser.” the reference Johnson teaches on page 41, right column, “ Identifying the user, and the type of device and browser, is the beginning of the content conversion process”, right column, “for example, if a device cannot display tables, the table formatting tags are removed. But, the text in the table is still sent for the device in a simplified format.” Thereby the reference teaches these limitations. Please refer to claim 1 below for further details.

4. Examiner would like to thank the Applicant for pointing out the support for the amendment in the specification by stating “Support for the amendments can be found throughout the Specification, and particularly beginning at line 21 of page 5 and beginning at line 5 of page 20.”

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4,-7; 9-15, 17, 20-23, 25-31, 34-37, 39 and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by Dan Johnson (hereinafter Dan) (Circuit Cellar Ink, February 1998).

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**Referring to claim 1,**

The reference teaches in a network that includes one or more network devices that have Web browsers implemented thereon, the network devices being network connectable to a network server (Page 40, center column, "And, users of nonPC devices gain faster access to web content that looks good on their devices."), the network also including a data server that is in communication with the network server, wherein the network server sends displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content (page 40, center column, "To meet current needs, Spyglass Prism converts existing Web content for a variety of devices on-the-fly. Content providers can maintain a single version of their content on a server for use with all devices without any proprietary HTML tags or resorting to entirely new markup languages."), a method for rendering data from the data server to create displayable content (Page 40, center and right columns, " It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client."), comprising:

an act of the network server receiving a request for displayable content from a web browser at a network device (Page 40, center and right columns, " It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.");

an act of identifying a template for the displayable content based on bandwidth available to send the displayable content to the network device, the template including one or more displayable portions that are natively compatible for viewing with the Web browser, one or more tokens representing non-displayable data that is stored on the data server and is not natively compatible for viewing with the Web browser, and one or more functions for converting the non-displayable data into a format that is natively compatible for viewing with the Web browser; (page 41, right column, " Identifying the user, and the type of device and browser, is the beginning of the content conversion process"., right column, "for example, if a device cannot display tables, the table formatting tags are removed. But, the text in the table is still sent for the device in a simplified format.", page 42, left column, "The device database offers information about each type of device such as display resolution (identifying a template for the displayable content based on bandwidth available to send the displayable content to the first network device) and supported image formats (GIF, JPEG) and HTML tags).;

an act of retrieving the non-displayable data from the data server; an act of the network server using the identified template to construct the displayable content by performing the following acts: an act of including displayable portions in the displayable content as specified in the identified template; an act of converting the non-displayable data retrieved from the data server, using the one or more functions included within the identified template, into a format that is natively compatible for viewing with the Web browser; and an act of including the converted data in the displayable content as specified in the identified template; and an act of sending the displayable content to the

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network device. (page 41, left column, 2<sup>nd</sup>, 4<sup>th</sup> and 5<sup>th</sup> paragraphs, right column, 5<sup>th</sup> paragraph and page 42, left column, 4<sup>th</sup> paragraph, right column, 5<sup>th</sup> paragraph).

**Referring to claims 4, 5, 20 and 21,**

The reference teaches the method as recited in claim 1, wherein the displayable content comprises a HyperText Markup Language (HTML) document, and wherein the displayable portions comprise HTML tags. (page 42, left column, "The device database offers information about each type of device such as display resolution and supported image formats (GIF, JPEG) and HTML tags.")

**Referring to claim 6, 7, 22 and 23,**

The reference teaches the method as recited in claim 1, wherein the request for displayable content comprises information allowing the network server to identify the web browser type that will be used on the network device to display the displayable content, and wherein the request for displayable content comprises information expressly identifying the Web browser type that will be used on the network device to display the displayable content. (page 41, right column, 5<sup>th</sup> paragraph, "Identifying the user, and the type of device and browser, is the beginning of the content conversion process.")

**Referring to claims 9, 10, 17, 25 and 26,**

The reference teaches the method as recited in claim 1, wherein the request for displayable content comprises language information identifying the language to be used in the displayable content, the method further comprising the following: an act of identifying the language based on the language information., and wherein the language

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information comprises an express language indication, the method further comprising the following: an act of identifying the language based on the express language indication. (page 41, right column, 5th paragraph, "Identifying the user, and the type of device and browser, is the beginning of the content conversion process.")

**Referring to claims 11, 12, 27 and 28,**

The reference teaches the method the method as recited in claim 1, wherein the network server and the data server are physically integrated., and wherein the network server and the data server are physically separate. (page 40, center column, 4<sup>th</sup> paragraph thru right column, 2<sup>nd</sup> paragraph)

**Referring to claims 13,14, 29 and 30,**

The reference teaches the method as recited in claim 1, wherein the act of the network server receiving a request for displayable content comprises the following: an act of the network server receiving a request for displayable content via network messaging.

(page 44, center column, 4<sup>th</sup> paragraph)., and wherein the act of the network server receiving a request for displayable content comprises the following: an act of the network server receiving a request for displayable content via receiving a call to an Application Program Interface (API). (page 42, left column, 2<sup>nd</sup> paragraph).

**Referring to claim 15,**

The reference teaches in a network that includes one or more network devices that have Web browsers implemented thereon, the network devices being network connectable to a network server (Page 40, center column, "And, users of nonPC devices gain faster access to web content that looks good on their devices."), the



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network also including a data server that is in communication with the network server, wherein the network server sends displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content (page 40, center column, "To meet current needs, Spyglass Prism converts existing Web content for a variety of devices on-the-fly. Content providers can maintain a single version of their content on a server for use with all devices without any proprietary HTML tags or resorting to entirely new markup languages."), a method for rendering data from the data server to create displayable content (Page 40, center and right columns, " It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client."), comprising:

an act of the network server receiving a request for displayable content from a network device, the request indicating a Web browser type that is implemented on the first network device; (Page 40, center and right columns, " It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.", page 41, right column, 5th paragraph, "Identifying the user, and the type of device and browser, is the beginning of the content conversion process.")

an act of identifying a template for the displayable content based on bandwidth available content to the network device and the Web browser type, the template including one or more displayable portions that are natively compatible for viewing with

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the Web browser type implemented on the network device, one or more tokens representing non-displayable data that is stored on the data server and is not natively compatible for viewing with the Web browser type, and one or more functions for converting the non-displayable data into a format that is natively compatible for viewing with the web browser type; (page 41, right column, " Identifying the user, and the type of device and browser, is the beginning of the content conversion process"., right column, "for example, if a device cannot display tables, the table formatting tags are removed. But, the text in the table is still sent for the device in a simplified format.", and page 42, left column, "The device database offers information about each type of device such as display resolution and supported image formats (GIF, JPEG) and HTML tags).

an act of accessing the non-displayable data from the data server; a step for constructing the displayable content so as to represent both the displayable portions and the non-displayable data by using the one or more functions included within the identified template to convert the non-displayable data into a format that is natively compatible for viewing with the Web browser type implemented on the network device; and an act of sending the displayable content to the network device. (page 41, left column, 2<sup>nd</sup>, 4<sup>th</sup> and 5<sup>th</sup> paragraphs, right column, 5<sup>th</sup> paragraph and page 42, left column, 4<sup>th</sup> paragraph, right column, 5<sup>th</sup> paragraph).

**Referring to claim 31,**

Claim 31 is a claim to a computer program product on a computer-readable medium carrying computer-readable instructions, that when executed at the network server,

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cause the network server to perform the steps of method 1. Therefore, claim 31 is rejected for the reasons set forth for the claim 1.

**Referring to claims 34 and 35,**

Claims 34 and 35 are claims to a computer program product on a computer-readable medium carrying computer-readable instructions, that when executed at the network server, cause the network server to perform the steps of method of claims 9 and 10. Therefore, claims 34 and 35 are rejected for the reasons set forth for the claims 9, 10, 17, 25 and 26.

**Referring to claims 36 and 37,**

The reference teaches the computer program product as recited in claim 31, wherein the network server and the network device are the same device., and wherein the network server and the data server are the same device. (Page 40, center and right columns, " It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.", thereby the reference teaches the software can be implemented on any computing devices taught by the reference.")

**Referring to claims 39 and 41,**

The reference teaches a computer-readable medium (Page 40, center and right columns, " It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.") for use in a network that includes one or more network devices that have Web browsers implemented thereon, the network devices

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being network connectable to a network server (Page 40, center column, "And, users of nonPC devices gain faster access to web content that looks good on their devices."), the network also including a data server that is in communication with the network server, wherein the network server sends displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content (page 40, center column, "To meet current needs, Spyglass Prism converts existing Web content for a variety of devices on-the-fly. Content providers can maintain a single version of their content on a server for use with all devices without any proprietary HTML tags or resorting to entirely new markup languages."), the computer-readable medium storing data for access by a program module being executed on the network server, the computer-readable medium, comprising:

A data structure stored on the computer-readable medium, the data structure including compiled template data to be used by the program module, data structure comprising:

a data dictionary data object that identifies data to be accessed from the data server that is not natively compatible for viewing with a particular Web browser (Page 40, center and right columns, " It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client." The reference teaches the claimed element as being an inherent requirement. );

a template constant data object that identifies constants associated with the template; a functions data object that identifies one or more functions associated with the template for converting the data that is not natively compatible for viewing with a particular Web browser into a format that is natively compatible for viewing with the particular web browser;; a token information table data object that identifies locations in the template associated with the data dictionary data object, the template constant data object, and the functions data object; and an HTML data that identifies content associated with the template that is natively compatible for viewing with the particular web browser, and wherein the field data dictionary data object includes identification of non-displayable data to be accessed on the data server. (page 41, right column, "Identifying the user, and the type of device and browser, is the beginning of the content conversion process"., right column, "for example, if a device cannot display tables, the table formatting tags are removed. But, the text in the table is still sent for the device in a simplified format.", page 42, left column, "The device database offers information about each type of device such as display resolution and supported image formats (GIF, JPEG) and HTML tags. ", 2nd, 4<sup>th</sup> and 5<sup>th</sup> paragraphs, right column, 5<sup>th</sup> paragraph and page 42, left column, 4<sup>th</sup> paragraph, right column, 5<sup>th</sup> paragraph. The reference teaches the claimed elements as being the inherent requirement.)

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious

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at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 32, 33, 38, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dan Johnson (hereinafter Dan) (Circuit Cellar Ink, February 1998) in view of Official Notice.

**Referring to claims 32, 33, 38, 42 and 43,**

An Official Notice is taken for the computer-readable instructions and computer readable medium having data structure (physical storage) which by virtue causes the implementation of the method such as of claims 31 and 39 and it itself is non-displayable data and not accessible to the network device. This provides security against changes/ alterations by the personnel which are not authorized to access or change.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp  
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